

REMARKS

Reconsideration and allowance are respectfully requested. Claims 1-21 are currently pending and stand rejected. Applicant has amended claims 1 and 10. No new matter has been added.

Formal issues

The Office Action objected to the drawings under 37 CFR § 1.83(a) for failing to show various claimed elements. Applicant submits herewith replacement figures to obviate the objection. With respect to claim 3, Applicant respectfully notes that Figures 3 and 4 illustrate a roll-up shade 28, which acts as the second sunscreen, in different conditions. To clarify this fact, Applicant has added Figure 4a to show the second sunshade 28 inside a cassette 24. Applicant has amended the Figures to explicitly show the grip (claim 5) and the electric motor (claim 6). Applicant has also added new Figure 6a to show a cassette 24 mounted to the first sunscreen 22 by a pivot pin P and new Figure 8 to show the passenger side sunscreen PS and the driver side sunscreen DS. None of these changes to the Figures constitute new matter because they merely show what was already recited in the originally-filed claims. Applicant further notes that a rolled-up sunscreen made of thin plastic foil can easily be accommodated in a thin cassette. Withdrawal of the objection to the drawings is therefore respectfully requested.

The Office Action also objected to the specification for failing to provide antecedent basis for claims 5-6 and 17-18. Applicant has amended the drawings and the specification to obviate this objection. Applicant notes that paragraph 27 of the originally-filed application already recited manual movement of the first sunscreen and the electrical drive device; thus, the amendments to paragraph 27 do not constitute new matter. Withdrawal of the objection of the specification is respectfully requested.

§ 112 rejections

Claims 7 and 19 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicant respectfully traverses this rejection. Paragraph 25 clearly states that the cassette 24 may be attached in a hinged manner to the first sunscreen 22. The drawings are correct as well; as shown in Figures 6 and 6a, the cassette 24 is hinged on the front end of the

first sunscreen so that it can swing forward. Both the drawings and the claims are therefore correct and consistent with each other, and withdrawal of the rejection is respectfully requested.

Claims 1-21 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicant has amended independent claims 1 and 10 to clarify that the guideway extends in a forward direction of the motor vehicle roof module to obviate this rejection. Withdrawal of the rejection is therefore respectfully requested.

§ 103 rejections

Claims 1-6 and 10-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication No. 2001/0054833 to Wingen et al. ("Wingen") in view of U.S. Patent No. 5,599,059 to Shann ("Shann"). Applicant respectfully traverses this rejection.

The Office Action asserted that Wingen discloses the claimed guideway and cassette. Applicant respectfully disagrees. First, the guide rails 8 are not the same as the claimed guideway because, as shown in Figure 3, the guide rails 8 are arranged laterally with respect to the shades 5, 11 and guide a cross member 7, not any of the shades 5, 11 (paragraph 28, lines 10-14). As shown in Figure 3, Wingen teaches arrange the guide rails 8 so that they are disposed laterally with respect to the shades 16, 17 and do not support or guide any portion of the shades 16, 17. Instead, the guide rails 8 are spaced apart from and disposed below the shades 16, 17 (which are components of shades 5 and 11). Independent claims 1 and 10, by contrast, recite the first sunscreen is guided in the guideway.

Second, Wingen does not teach a sunscreen that is movable in a forward direction from the housing and a cassette that is mounted on the front edge of the sunscreen. Screen 5 is movable in a forward direction, but the cross member 7, which the Office Action equates with the claimed cassette, is attached to the back of the screen 5 in the embodiments shown in Figures 2 and 4. Screen 11 is movable in a backward direction in Figure 2, not a forward direction as recited in claims 1 and 10. Moreover, rather than being mounted onto the front edge of the sunscreen, the cross member 7 in Wingen temporarily supports a shade 5 that is wound around a winding axle 6 rotatably mounted to the cross member 7. Thus, instead of mounting a cassette to the front edge of any sunscreen, Wingen simply uses the cross member 7 to support the rolled-up shade 5 without actually attaching or mounting it to the shade 5 itself.

With respect to claims 10 and 11, both Wingen and Shann are directed to screens for a conventional sunroof, not a roof module having a windshield, much less a panoramic windshield.

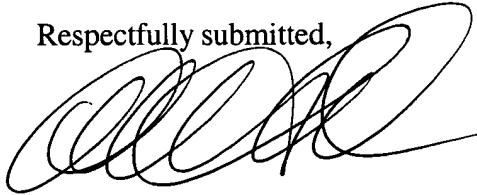
Because neither Wingen nor Shann show at least one guideway that guides a first sunscreen that is movable in a forward direction or at least one cassette mounted on a front edge of the first sunscreen, the Office Action fails to establish a prima facie case of obviousness with respect to claims 1-6 and 10-18, and withdrawal of the rejection is respectfully requested.

Claims 8-9, 20 and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wingen in view of Shann and further in view of U.S. Patent No. 6,634,703 to DeGaillard ("DeGaillard"). Applicant respectfully traverses this rejection. Claims 8-9, 20 and 21 depend on patentable independent claims 1 or 10 and are therefore patentable for the reasons explained above. Adding DeGaillard to the combination still fails to suggest the claimed invention because DeGaillard also fails to show a first sunscreen guided by at least one guide rail. The Office Action therefore fails to establish a prima facie case of obviousness with respect to claims 8-9, 20 and 21, and withdrawal of the rejection is respectfully requested.

Applicant thanks the Examiner for indicating that claims 7 and 19 contain allowable subject matter. Applicant notes that claims 7 and 19 depend on patentable claims 1 and 10, respectively. Thus, claims 7 and 9 are patentable without being rewritten in independent form.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance, and a Notice to that effect is earnestly solicited. Applicant believes that no additional fees are necessary, however, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 8th day of October, 2004.


Beth A. Beard